



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/02/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.3187 of 2023

Nambi Narayanan

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(Crime No.270/2022).

... Respondent/Complainant

For Petitioner : Mr.SATHYA CHIDAMBARAM S,
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

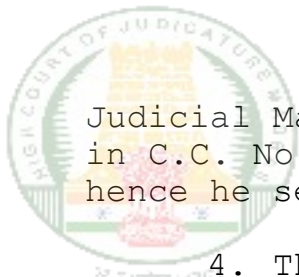
PRAYER :- For Bail in Crime No.270/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 31.12.2022 for the offence punishable under Section 392 of IPC in Crime No.270 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.07.2022 at about 7.00 pm., when the defacto complainant was returning to her home, the accused persons snatched 44 grams of gold chain from the defacto complainant, hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is in judicial custody from 31.12.2022. He would further submit that this is the second application for bail and the earlier bail application was dismissed on 01.02.2023 stating that the finger print of the petitioner has been taken and has been sent for comparison to the State Crime record Bureau and the investigation is pending. He would further submit that the investigation has been completed and the final report has been filed before the learned



Judicial Magistrate, Valliyur and the same has been taken cognizance in C.C. No.45 of 2023 and the co-accused have been released on bail, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that investigation has been completed, however opposed to grant bail to the petitioner on the ground that the petitioner has got two previous cases.

5. Heard. Perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and submissions made by the learned counsels and also taking into consideration the period of incarceration and also taking note of the fact that the co-accused has been released on bail this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (of which one shall be the blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate, Valliyoor, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall report before the learned Judicial Magistrate, Valliyoor on all working days at 10.30 A.M., for a period of four weeks and thereafter on the date fixed by the learned trial Judge.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR



[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

20/02/2023

/ TRUE COPY /

WEB COPY

20/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

- 1 THE JUDICIAL MAGISTRATE
VALLIYOOR, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SATHYA CHIDAMBARAM S Advocate SR.No.2503

ORDER

IN

CRL OP(MD) No.3187 of 2023

Date :20/02/2023

SA/BUC/SAR. /20.02.2023/3P/7C